

MEMORANDUM

Date: October 27, 2003

From: Craig Feinberg
Program and Resource Administrator
Board of Patent Appeals and Interferences

To: Eric Stamber
Supervisory Patent Examiner, Tech Center 3622

Subj: ORDER RETURNING UNDOCKETED APPEAL

On August 20, 2003, the Board of Patent Appeals and Interferences (hereinafter the "Board") mailed the subject Order (Paper No. 29) wherein the Board ordered the examiner to submit a copy of the "Wall Street" reference and to respond properly to appellants' Reply Brief filed on August 5, 2993 (Paper No. 28). While the examiner responded to appellants' Reply Brief in a communication dated September 16, 2003 (Paper No. 30), there is no indication in the record that the examiner has provided a file copy of the "Wall Street" reference. There is also no indication that the examiner furnished a copy of said reference to appellants.

This application is hereby being returned to the examiner for taking corrective action regarding the "Wall Street" reference by furnishing a copy for the record, furnishing a copy of said reference to appellants, and for such further action as may be appropriate.

The Examiner was unable to locate a copy of the reference in the applicable IDS. However, the Applicant has faxed another copy of the reference, which is enclosed herein.

JAMES W. MYHRE
PRIMARY EXAMINER